

Examination of the UK under the UN Convention on the Elimination of All Forms of Racial Discrimination (CERD)

Civil society alternative report 2024 to the UN Committee – July 2024

About The Children's Rights Alliance for England

The Children's Rights Alliance for England (CRAE) is part of the charity Just for Kids Law. It works with over 100 members to promote children's rights and monitor UK Government implementation of the UN Convention on the Rights of the Child (CRC) and other human rights treaties.

We believe that human rights are a powerful tool in making life better for children. We fight for children's rights by listening to what they say, carrying out research to understand what children are going through and using the law to challenge those who violate children's rights. We campaign for the people in power to change things for children. And we empower children and those who care about children to push for the changes that they want to see.

For further information, please contact: info@crae.org.uk

Acknowledgements

We are extremely grateful to everyone who submitted evidence for this submission, in particular: the Agenda Alliance; Alliance for Inclusive Education, Barnardo's; Centre for Mental Health and Children's and Young People's Mental Health Coalition; Coram Children's Legal Centre; Friends, Families and Travellers; Keir Monteith KC, Garden Court Chambers; Howard League for Penal Reform; Just Fair; The Children's Society; Professor Eithne Quinn, University of Manchester; and Youth Access.

Supporting organisations

Civil society organisations supporting this submission are listed in an annex.

Introduction

This submission focuses on how well the UK Government's (UKG) is meeting its human rights obligations under the UN Convention on the Elimination of all Forms of Racial Discrimination (CERD) as they relate to children.

Children's rights in England have regressed in many areas since the UK's last examination in 2016. Our submission shows wide-spread failure to ensure all children have their rights realised under CERD, with some groups of children, particularly Black children and Gypsy, Roma and Traveller (GRT) children, experiencing significant discrimination and structural inequality across many aspects of their lives.

Data collection (article 1 and 2)

Age and ethnicity intersection

Data collection generally focus on collecting data on age and ethnicity separately, which hinders the ability to understand how these factors intersect to influence children's experiences and outcomes as well as to hold the State to account. NGOs have the option to submit Freedom of Information (FOI) requests to obtain data. However, this process can be time-consuming and resource intensive. It may involve long waits for responses from relevant authorities and further limitations, for example, the data itself may not be easily accessible.

Examples and recommendations relating to insufficient data collection are provided throughout our submission.

- **Ensure fully disaggregated age and ethnicity data combined is regularly collected and published to enable full transparency and accountability as well as the development of targeted policies and interventions that address the specific needs of different groups of children.**

Human rights frameworks, legislation and policies (article 2)

Incorporation of the Convention

UKG has not incorporated CERD into domestic law and, as it stands, has no plans to do so.

- **Fully incorporate CERD, alongside the other core human rights treaties, to demonstrate the UK's commitment to upholding human rights principles and tackling racial disparities.**

Lack of compliance with the Human Rights Act (HRA)

While the Bill of Rights—which would have significantly weakened rights for all—has been shelved, the diluting of the rights of children through legislation has continued, including the Illegal Migration Act 2023 and the Safety of Rwanda (Asylum and Immigration) Act 2024. Children from racialised communities will be exposed to significant harm through these legislative changes (see below for further details). Over 250 organisations co-signed a letter to the Prime Minister expressing extreme concern at the attack on the human rights of the most vulnerable in society.¹

Moreover, while leaving the European Court of Human Rights (ECHR) is not officially Government policy, Prime Minister Rishi Sunak backed calls for the UK to leave the court's jurisdiction if the Rwanda policy continued to be blocked.²

- **Commit to not repealing or diluting the Human Rights Act.**
- **Commit to reversing the tide on deeply regressive legislation and disregard for international human rights obligations.**

Politicisation of the Equalities and Human Rights Commission (EHRC)

In a 2020 report examining the human rights of Black people, Parliament's human rights committee said the EHRC "*has been unable to adequately provide leadership and gain trust in tackling racial inequality in the protection and promotion of human rights.*" The Committee said it had "*long been concerned that the EHRC's powers in relation to human rights are not fit for purpose,*" therefore undermining its ability to protect the rights of racialised people.³ The Committee made a series of recommendations: calling for Black commissioners; adequate resourcing; and strengthened enforcement powers.⁴

There have been accusations that UKG's appointments have become increasingly politicised⁵, eroding confidence by racialised communities in the EHRC.⁶ Without robust independence, the EHRC cannot effectively advocate for the rights of racialised children.

- **Improve the independence of the EHRC and ensure it has adequate resourcing and enforcement powers.**

Children's Commissioner for England not compliant with Paris Principles

Despite positive reform, legislation governing the Children's Commissioner for England (Children's Commissioner) needs to be further strengthened to ensure it has sufficient functions, powers and independence to effectively promote the full realisation of children's rights across all human rights treaties, including CERD, and hold UKG to account on its obligations. The Children's Commissioner has to have particular regard to specified groups of vulnerable children when

¹ https://twitter.com/JCWI_UK/status/1782731880158122329 April 2024

² *Rishi Sunak faces cabinet revolt over leaving ECHR* The Times, April 2024

³ Joint Committee on Human Rights (2020) [Black people, racism and human rights](#) Pg. 31

⁴ *Ibid*, pg. 32

⁵ The Guardian (2020) [Politicising the EHRC? Five controversial appointments](#)

⁶ The Guardian (2020) [Equalities campaigners criticise senior EHRC appointment](#)

carrying out their functions,⁷ and provide advice and assistance.⁸ However, the definition needs to be extended to include other particularly vulnerable children—those in prison, where over 51% are from Black and other racialised groups (see below), and separated children who are seeking asylum or have been trafficked.

- **Reform legislation governing the Children’s Commissioner for England to ensure: the Secretary of State must have due regard to the views of Parliament in relation to appointment and is required to provide the Children’s Commissioner with adequate resources to enable it to perform its functions;⁹ UKG is required to refrain from interfering in its work; and the definition of vulnerable children is extended to include children in custody and separated children seeking asylum or who have been trafficked.**

Commencement of the ‘socio-economic duty’ (s1, Equality Act 2010)

UKG has repeatedly failed to commence the socio-economic duty in England, as outlined in Section 1 of the Equality Act 2010, in contrast to the devolved governments in Scotland¹⁰ and Wales¹¹. This duty would require public bodies, when making decisions of a strategic nature, to consider the need to reduce inequalities resulting from socio-economic disadvantage.

Research shows the socio-economic duty helps to address intersecting inequality.¹² Socio-economic disadvantage intersects with and compounds other forms of inequality, meaning introducing this duty would help address the multiple layers of discrimination that racialised children face. Mainstreaming the socio-economic duty into the decision-making processes could help children by ensuring those in greatest socio-economic need are prioritised. Additionally, it would produce better laws as the ‘pre-legislative scrutiny’ would highlight socio-economic risks and ensure that mitigations are considered.

- **Commence the socio-economic duty as soon as possible.**

Plans to address racial discrimination and inequality

In its State Party report, UKG cites several reviews and initiatives launched since 2015 to tackle racial inequalities.¹³ Chief amongst these is the *Inclusive Britain* strategy setting out 74 actions to combat disparities.¹⁴ While welcome, we echo the views of the EHRC that the action plan does not go far enough and much more needs to be done to address longstanding racial inequalities.¹⁵ Significant issues remain, as evidenced in our submission, in relation to structural inequality and race discrimination faced by particular groups of children.

In 2016, the Committee also recommended UKG develop a comprehensive strategy, in consultation with members of GRT communities, to ensure a systematic and coherent approach in addressing the challenges that members of these communities continue to face in the fields of health, education and housing, including provision of adequate and culturally appropriate accommodation and stopping sites, as a matter of priority. However, there has been a lack of action by UKG in addressing these challenges.

- **Commit to tackling all forms of racism, discrimination, and exclusion through a comprehensive and cross-government strategy in consultation with civil society groups and affected communities, including racialised children. This should include action to address the specific injustices and stigma faced by racialised communities within key settings such as the health, education, and criminal justice systems.**

Consultation with civil society

⁷ See Part 6, Section 2(4) (primary function) and Section 2B(3) (involving children in the discharge of the primary function), and Section 7B(5) (business plans), *Children and Families Act 2014*.

⁸ See Part 6, Section 2D(1) (provision of advice and assistance to certain children in England), *Children and Families Act 2014*. These additional responsibilities apply to looked after children, care leavers, children in boarding school and children receiving social care services.

⁹ A similar provision can be found in the Equality Act 2006, Schedule 1, paragraph 38.

¹⁰ Scottish Government (2018) [Fairer Scotland Duty: guidance for public bodies](#)

¹¹ Welsh Government (2021) [More Equal Wales: The Socio-economic Duty Equality Act 2010](#)

¹² Just Fair and Greater Manchester Poverty Action (2023) [The socio-economic duty in action: Case studies from England and Wales](#)

¹³ HM Government (2023) [Combined twenty-fourth to twenty-sixth periodic reports submitted by the United Kingdom of Great Britain and Northern Ireland under article 9 of the Convention](#)

¹⁴ [Collection: Inclusive Britain reports and updates](#) August 2022

¹⁵ Equality and Human Rights Commissioner (2023) [Inclusive Britain: Responding to the Government's progress updates](#)

The UN Committee, in its 2016 Concluding Observations (COs), recommends UKG “*undertake meaningful and effective consultations with civil society organisations working in the area of human rights protections, in particular those working to combat racial discrimination.*” However, genuine consultation on CERD implementation has been limited and there was no consultation on a draft of the State Party report.

There have also been wider significant challenges faced by the NGO sector, including those focussing on racial justice and children’s rights. The speed of introduction and implementation of new measures has limited the scope for meaningful consultation and engagement with organisations.

- **Ensure a more transparent, consultative, and participatory system that allows civil society to effectively engage in the legislative process and meaningfully engage with civil society, including children’s rights organisations and racialised children, to take forward implementation of CERD.**

Hate speech, hate crimes and racist bullying (article 4)

There is limited research into the prevalence of hate speech and hate crime as it affects different groups of children although more research has been published into specific groups of children’s experience of bullying. A 2020 literature review found that GRT, asylum seeker, refugee and mixed-race children are at increased risk of bullying¹⁶ and the Traveller Movement found that 40% of GRT children had experienced bullying, 67% of these children reported experiencing bullying from their teachers, which they felt was directly linked to their ethnicity.¹⁷

The organisation TellMAMA has documented significant increases in incidences of anti-Muslim hate in educational institutions with cases jumping 5% between 2020 and 2021.¹⁸ Cases involved discrimination from other pupils, teachers or other staff members. Its monitoring also found that Islamophobic incidents vastly increased—by 600%—since the Hamas attack on Israel on October 7th. Although the monitoring does not disaggregate by age, it is highly likely that such incidents directed at children also significantly increased.¹⁹ Research has also found an increase in antisemitic instances and bullying in recent years²⁰ with significant increases occurring since October 7th. In 2023, there were 87 antisemitic incidents recorded at Jewish schools. An additional 111 incidents involved Jewish children away from school, often on their way to or from home. 127 incidents involved Jewish schoolchildren or staff at non-faith schools. This represents a large increase in antisemitic instances since the previous year, where 98 incidents were recorded. 70% of the incidents in 2023 took place after 7th October.²¹ UKG’s Independent Advisor on Antisemitism concluded that a more co-ordinated effort is needed on lessons on antisemitism and Islamophobia across all schools although it identified better practice in other parts of the UK.²²

Research has also found the importance of needing to distinguish between different race and faith groups to gain a meaningful understanding of bullying, and the distinct experiences of different groups.²³

- **Support schools to implement strategies to specifically address racism and protocols for dealing with racial incidents to prevent further trauma and encourage engagement with specialist agencies.**
- **Provide adequate funding to schools to combat all forms of racist bullying focusing on root causes not punitive measures.**
- **Address research gaps including by improving data collection to ensure the prevalence of racist bullying and hate crime against children is up to date and accurately recorded**

Situation of national or ethnic minorities (articles 2-7)

Curtailed rights to freedom of expression, assembly and association (article 2-5)

¹⁶ Anti-Bullying Alliance (2020) [Racist and faith targeted bullying: Prevalence](#)

¹⁷ The Traveller Movement (2020) [Gypsy, Roma and Traveller experiences in Secondary Education: Issues, barriers and recommendations](#)

¹⁸ TellMAMA (2023) [A decade of Muslim Hate](#)

¹⁹ TellMAMA (2023) [‘I was terrified’: Islamophobic incidents up by 600% in UK since Hamas attack’](#)

²⁰ The Office of HM Government’s Independent Advisor on Antisemitism (2023) [Anti-Jewish Hatred Tackling Antisemitism in the UK 2023 – Renewing the Commitment](#)

²¹ Community Security Trust Blog [‘Antisemitic incidents report 2023’](#) 15 February 2024.

²² The Office of HM Government’s Independent Advisor on Antisemitism (2023) [Anti-Jewish Hatred Tackling Antisemitism in the UK 2023 – Renewing the Commitment](#)

²³ Anti-Bullying Alliance (2020) [Racist and faith targeted bullying: Prevalence](#)

The current approach to policing protests, particularly under new legislation²⁴, poses a serious threat to the fundamental rights of racialised children. Analysis of the policing of the recent Palestine solidarity demonstrations shows how UKG fundamentally fails to recognise the rights to freedom of assembly, instead viewing protest as a nuisance to crack down on.²⁵ These findings echo previous research looking at excessive policing of Black-led protest during climate protests and the Black Lives Matter (BLM) movement.²⁶

A pattern of racial profiling at Palestine solidarity demonstrations has included targeting and mistreatment of racialised children in a way that has reinforced established patterns of racist policing, with reports of children as young as ten being detained by the police. One London legal observer explained: *‘Police officers seemed to be deliberately targeting young South Asian and Black young people - “what bothered me was that they would always go for the kids”, particularly at the end of larger demonstrations.’*²⁷

There have been multiple instances of police using excessive force and intimidating tactics against racialised children during protests. This includes physical violence and unnecessary aggression²⁸ that serve to intimidate young participants rather than protect public order.

The role of media and politicians

Some parts of the media and UKG have portrayed the Palestine solidarity protests as dangerous and extreme. Politicians have made inflammatory statements, such as describing the protests as ‘hate marches’ and linking them to terrorism.²⁹ This combination of skewed media portrayal and political pressure has resulted in escalating tensions and undermining the fundamental rights to freedom of expression, assembly, and association for racialised children.

- **Safeguard freedom of expression, association, and assembly rights for protesters by repealing measures in the Police Crime Sentencing and Courts Act 2022 and in the Public Order Act 2023.**
- **Implement clear guidelines that restrict the use of police force on children during protests.**

Policing (articles 2 and 5)

There continues to be significant racial disparity in relation to children’s interaction with the police, with tensions and lack of trust exacerbated by police practices.

Stop and search powers

Stop and search is traumatic for children,³⁰ yet thousands are stopped and searched each year. Black children were involved in 20% of searches between 2022-23, despite making up 6% of the 10 to 17 population.³¹ Over 317 children under the age of criminal responsibility were searched by the police in England and Wales in 2023—a quarter were from racialised groups—and 81% led to no further action.³² Concerningly, restrictions on police stop and search powers have been eased in recent years.³³

Strip searches

Children have been clear about the profound distress and trauma caused by police strip search practices and data demonstrates the disproportionate strip searching of Black and other racialised children.³⁴ Data collected by the Children’s Commissioner from 2018 to 2022 showed Black children were 11 times more likely to be strip searched in England and Wales than white children.³⁵ Nearly half (47.7%) of strip searches carried out on children in London are on

²⁴ Police Crime Sentencing and Courts Act 2022 and Public Order Act 2023

²⁵ Netpol (2024) [In Our Millions: A Netpol report on the policing of protests in Britain against Israeli genocide in Palestine](#)

²⁶ Netpol (2020) [Britain is Not Innocent](#)

²⁷ Netpol (2024) [In Our Millions: A Netpol report on the policing of protests in Britain against Israeli genocide in Palestine](#)

²⁸ Ibid

²⁹ Guardian (2023) ‘Suella Braverman calls pro-Palestine demos “hate marches”’

³⁰ Independent Office of Police Conduct (2023) [National stop and search survey report](#)

³¹ Youth Justice Board for England and Wales (January 2024) [Youth Justice Statistics: 2022 to 2023](#)

³² Guardian (2024) [Hundreds of children under 10 subject to stop and search in England and Wales](#)

³³ The Government announced that conditions on the use of Section 60 (of the Criminal Justice and Public Order Act) stop and search powers have been permanently relaxed. HM Government (2022) [Beating Crime Plan: Fewer victims, peaceful neighbourhoods, safe country](#)

³⁴ Children’s Commissioner (2023) [Strip search of children in England and Wales – analysis by the Children’s Commissioner for England](#)

³⁵ [Black children 11 times more likely to be strip-searched in England and Wales than white peers](#)

Black children.³⁶ While strip searches are conducted with the intent to uncover dangerous or illegal objects, research has demonstrated that this rarely happens.^{37 38}

Exposure of Intimate Parts (EIP) searches on children must urgently end, but as the transition to alternative methods will not happen overnight, protections must be significantly increased now. Much clearer guidelines and stricter oversight are needed urgently yet a consultation launched in April 2024³⁹ goes nowhere near far enough.

Police custody

Police custody is completely unsuitable and traumatic for children, yet thousands of children continue to be detained for long periods of time, including overnight. Black children are more likely to be detained in police custody and subsequently more likely to be held overnight. In the year ending March 2023, 17% of children detained overnight were Black, 5% were Asian and 8% of mixed heritage.⁴⁰

Use of force

There has been a worrying increase in use of Taser against children over recent years.⁴¹ A 2021 report by the Independent Office for Police Conduct (IOPC) highlighted its concern regarding the high proportion of Tasers used on Black children.⁴² But despite clear recommendations made by the IOPC this issue continues: a recent review by the IOPC and National Police Chiefs' Council (NPCC) of 40 cases where a Taser was fired on a child found that over a quarter (27.5%) of Taser discharges were on Black children.⁴³ The biggest ever academic study of the police's use of Tasers found that patterns of racial disproportionality are being driven primarily by a combination of structural and institutional racism.⁴⁴

- **Review the current NPCC National Strategy for the Policing of Children & Young People to assess the extent it is being applied in practice including for racialised children.**
- **Reverse the easing of restrictions on stop and search.**
- **Urgently introduce alternatives so the use of Exposure of Intimate Parts (EIP) practices on children can be ended. As an immediate step, significantly strengthen legislation and guidance.**
- **Ensure children are only detained in police custody as a last resort; set a much-reduced statutory limit on how long children can be detained in police custody; proactively encourage local and authorities and police forces to sign up to the Concordat on Children in Custody; and ensure funds are available for adequate provision of secure and non-secure accommodation to allow children to be transferred out of police custody post-charge.**
- **Introduce a presumption against Taser use on children. As an immediate step, significantly improve regulations, training and guidance around the use of Taser on children and amend legislation so there is a mandatory duty for the police to refer themselves to the IOPC when a Taser is fired at a child.**
- **Take immediate steps to address racial disproportionality in all interactions between children and the police; improve local and national mechanisms for scrutinising all such interactions, ensuring they involve racialised children and children's rights experts, regularly collect and publish fully disaggregated data, including by age and ethnicity, and reasons for use and outcome of police powers.**

Youth justice system (article 5)

The UN Committee expressed its concerns regarding the presence of racial prejudice and bias in the criminal justice system in its 2016 COs.⁴⁵ In 2017, the Lammy Review highlighted issues with racial disparities within the system,

³⁶ The Runnymede Trust (2024) [The racialised harm of police strip searches](#)

³⁷ Children's Commissioner for England (2022) [Strip search of children by the Metropolitan Police Service](#)

³⁸ In addition to the Children's Commissioner for England research, a BBC File on 4 Freedom of Information Request in 2022 reported that over 13,000 children had been strip searched across the UK in the previous 5 years and in 80% of cases, nothing illegal was found.

³⁹ Home Office (2024) [Proposed amendments to PACE Codes of Practice A and C: strip searches](#)

⁴⁰ Home Office (2023) [Police powers and procedures: Other PACE powers, England and Wales, year ending 31 March 2023](#)

⁴¹ Children's Rights Alliance for England (2022) [Civil society alternative report to the UN Committee on the Rights of the Child – England](#)

⁴² Independent Office for Police Conduct (2021) [Review of IOPC cases involving the use of Taser 2015-2020](#)

⁴³ [IOPC statement on review of Taser discharges on children under 18](#) Independent Office for Police Conduct August 2023

⁴⁴ University of Keele (2023) [Taser use and its association with social, ethnic and racial disparities in policing \(TASERD\)](#)

⁴⁵ Committee on the Elimination of Racial Discrimination (2016) [Concluding observations on the combined twenty-first to twenty-third periodic reports of the United Kingdom of Great Britain and Northern Ireland](#)

including the overrepresentation of racialised children in the secure estate and disparities in the use of custodial remand and in joint enterprise convictions.⁴⁶ Despite the many recommendations made to address these disparities, little has changed. Children from racialised minorities still face racial discrimination and the effects of systemic racism throughout every stage of the justice system and Black children continue to receive harsher sentences.⁴⁷

Racist narratives of ‘aggression’ and ‘propensity to violence’ follow Black children throughout the systems they engage with, including the justice system, constructing them as risks to the public and community, not being afforded the notion of innocence due to perceptions of being older and therefore more responsible for their actions, known as adultification.⁴⁸ If criminal justice agencies cannot provide an evidence-based explanation for disparities between ethnic groups, then reforms must be introduced to address those disparities—the principle of ‘explain or reform’.

Diversion

Provision and access to diversion remains inconsistent and inequitable with children from racialised communities less likely to be diverted. Eligibility criteria create constraints.⁴⁹ Police forces’ awareness and use of informal outcomes varies,⁵⁰ and youth justice service practitioners are concerned that increasing numbers kept out of the system aren’t being offered support.⁵¹

Custody and remand

Racialised children make up 51% of those imprisoned.⁵² 26% are Black children and account for 33% of those on remand. Of those remanded in custody, the majority are boys and from a racialised group (57%).⁵³ Youth Justice Board research shows persistent racial disproportionalities: there are more restrictive remand outcomes and fewer out-of-court disposals for racialised children.⁵⁴

Gypsy, Roma and Traveller (GRT) children are also over-represented in child prisons. In 2020, they comprised 15% of those in Secure Training Centres (STCs) and 8% of children in Young Offender Institutions (YOIs) despite accounting for 0.1% of the British population. In both STCs and YOIs, GRT children are significantly more likely to report they had either been victimised or felt unsafe whilst in custody.⁵⁵

Data indicates that there are also disparities in the placement recommendations made by youth justice service workers to the youth custody service.⁵⁶ Racialised children were less likely to be recommended for placement in a secure children’s home (SCH) and more likely to be recommended for placement in a YOI, a much less protective and child-focused environment.⁵⁷

➤ **Urgently develop a national strategy which includes:**

- **Plans for legislation that significantly narrows when a child can be sentenced to custody.**
- **Steps to prevent the predicted doubling of children in prison in coming years, and to address racial disproportionality.**
- **Details on repairing the harms to children who were in prison during Covid-19.**
- **A plan, with clear timescales, for closing YOIs and STCs and for improving them in the interim.**

⁴⁶ Ministry of Justice and Lammy Review (2017) [Lammy review: final report](#)

⁴⁷ Youth Justice Board for England and Wales (2021) [Ethnic disproportionality in remand and sentencing in the youth justice system Analysis of administrative data](#)

⁴⁸ The concept of Adultification is when notions of innocence and vulnerability are not afforded to certain children. This is determined by people and institutions who hold power over them. When Adultification occurs outside of the home it is always founded within discrimination and bias. Her Majesty’s Inspectorate of Probation (2022) [Adultification bias within child protection and safeguarding](#)

⁴⁹ Centre for Justice Innovation (2021) [Equal Diversion? Racial disproportionality in youth diversion](#) and Centre for Justice Innovation (2021) [Mainstreaming Youth Diversion](#)

⁵⁰ Howard League for Penal Reform (2022) [Response to NPCC consultation on Outcome 22 guidance](#)

⁵¹ Smithson, H., Nisbet, A., Larner, S., Gray, P., Jump, D. (2022) *The Youth Justice System’s Response to the Covid-19 Pandemic Partnership Working Research Paper 3*, the Manchester Centre for Youth Studies at the Manchester Metropolitan University and the Alliance for Youth Justice

⁵² There was an average of 440 children in custody at any one time during the year 2023 – a fall of 3 per cent against the previous year, and a fall of 71 per cent against the year ending March 2013. Youth Justice Board for England and Wales (2023) [Youth justice statistics 2022-2023](#)

⁵³ HM Inspectorate of Probation (2023) [A joint thematic inspection of work with children subject to remand in youth detention](#)

⁵⁴ Youth Justice Board (2021) [Ethnic Disproportionality in Remand and Sentencing in the Youth Justice System: Analysis of Administrative Data](#)

⁵⁵ Written evidence received from Friends, Families and Travellers, September 2022

⁵⁶ [HM Inspectorate of Probation \(2023\) A joint thematic inspection of work with children subject to remand in youth detention](#)

⁵⁷ Ibid

- **Take urgent action to address racial disparities in child remand, for example, by providing better training for judges, magistrates, prosecutors and legal advisers; the initiation of a multi-agency review when a child is remanded, which identifies reasons for offending and missed opportunities to intervene, including gaps in provisions for racialised children; the development of a strategy to address these disparities, including a consistent approach to placement recommendations.**

Use of force and isolation in youth custody

Violence against children in institutions is extensive. Restraint, which can include pain inducing restraint in some limited circumstances, and isolation are disproportionately used on Black⁵⁸ and GRT children.⁵⁹

In 2022-23, the rate of use of force incidents in custody per 100 children and young people was higher on Black children at 1,100 compared to white children at just under 870⁶⁰ demonstrating that the disparities that exist in the decision-making stages throughout a trial, continue in how Black children are treated once they enter prison.

It is also highly concerning that prior to the dissolution of Parliament in May 2024, UKG was deliberating whether to authorise the use of PAVA spray on children in prison. PAVA is a chemical irritant spray that can cause severe pain and has already been introduced in men's prisons. Now UKG is considering whether to expand its use to prisons holding children. The pilot in men's prisons showed that, on multiple occasions, it was not used properly or safely⁶¹ and that a Black person is significantly more likely to be sprayed than a White person.⁶² It raises serious questions about extending use of PAVA spray to children's prisons, which hold disproportionately large numbers of racialised children and where there are already concerns about how much use of force these children are subjected to.

- **Ensure restraint and use of force against children is only used when the child poses an imminent threat of injury to themselves or others and is never used to deliberately inflict pain.**
- **Abolish solitary confinement (or any conditions that amount to solitary confinement) for children in prison.**
- **Systematically collect and publish fully disaggregated age and ethnicity data on use of Restrictive Physical Interventions, solitary confinement, and isolation.**
- **Cease plans to introduce PAVA spray in children's prisons.**

Child criminal exploitation

Children who are criminally exploited are forced or coerced to commit crime—such as the selling of drugs, committing theft, or carrying a weapon. Criminally exploited children often do not end up receiving the right support for the crimes committed against them and are instead punished for the crimes they have been forced or coerced to carry out. This is further compounded by race and gender: young Black males who are exploited are far more likely to be criminalised compared to their White female counterparts through adultification.⁶³

Ethnicity doesn't necessarily increase vulnerability to exploitation, but it impacts the response to the child.⁶⁴

- **Introduce the statutory definition of child criminal exploitation (CCE) to ensure that children who commit criminal offences as a result of exploitation receive help as victims and that those who exploit children criminally are held accountable; ensure that the police and youth justice practitioners are better trained to identify victims of CCE; improve monitoring of cases where children are criminalised but later found to be victims of CCE.**
- **Subject to a successful independent evaluation ascertaining the impact on children, roll out the Devolved Child Decision-Making Pilots to the National Referral Mechanism.**

⁵⁸ HM Inspectorate of Prisons (2021) [Children in Custody 2019-2020: An analysis of 12–18-year olds' perceptions of their experiences in secure training centres and young offender institutions](#) and House of Commons, House of Lords, Joint Committee on Human Rights (2019) [Youth detention: solitary confinement and restraint. Nineteenth Report of Session 2017–19](#) HC 994 HL Paper 343 House of Commons)

⁵⁹ Friends, Families and Travellers Written Evidence Submission to CRAE 2022

⁶⁰ Youth Justice Board for England and Wales (2023) [Youth justice statistics 2022-2023](#)

⁶¹ Prison Reform Trust (2023) [PAVA Spray: A Prison Reform trust position paper](#)

⁶² [Prison Reform Trust \(2023\), Equality incapacitated: the disproportionate impact of PAVA spray on Black, Muslim and disabled prisoners](#)

⁶³ Davis, J., Marsh, N. Listen Up Research, UK (2020) [Boys to Men: The cost of adultification in safeguarding responses to Black boys](#)

⁶⁴ The Children's Society (2019) [Counting Lives: Responding to children who are criminally exploited](#)

Expansion of civil orders

An expansion of powers for police and local authorities to use civil orders against children, under the pretext of addressing antisocial behaviour, risks exacerbating a child's involvement in the criminal justice system. Prior to the dissolution of Parliament, in May 2024, the proposed Criminal Justice Bill contained measures to 'tackle antisocial behaviour' and 'make neighbourhoods safer', including by lowering the minimum age of a community protection notice (CPN) from 16 to 10.⁶⁵ A report by JUSTICE highlights several examples of children being disproportionately impacted by these tools.⁶⁶ Moreover, the proposals were seeking to hand blank cheque powers to law enforcement agencies which are already facing significant scrutiny due to concerns about institutional racism.⁶⁷

- **Ensure that the use of civil orders is not expanded and conduct an urgent review into the function, efficacy and impact of existing Behavioural Control Orders, including if they increase the criminalisation of children.**

Use of rap music as evidence and joint enterprise

The state regularly requisitions rap lyrics and videos (composed by one or more of the defendants or by their friends) as evidence in serious youth violence cases, as demonstrated by recent research from the Centre on the Dynamics of Ethnicity.⁶⁸ This occurs despite many experts finding rap lyrics and videos to be very unreliable and prejudicial forms of evidence.⁶⁹ Rap evidence targets racialised children: almost half (46%) of all defendants in the dataset were teenagers at the time of trial; 15% were children, and two-thirds (66%) were Black. More than half the cases were Joint Enterprise prosecutions, the highly controversial legal doctrine that enables prosecutors to charge multiple people with a single crime.⁷⁰

- **Introduce legislation to restrict the use of creative expression as evidence in criminal trials⁷¹ and reform the law on secondary liability.**
- **The Crown Prosecution Service (CPS) must produce charging guidance to heavily constrain the State's ability to use rap as evidence, to protect the legal and human rights particularly of Black children.**
- **The CPS must collect and publish data on the number of children charged under the doctrine of joint enterprise each year who go on to receive a conviction, disaggregated by their age, gender and ethnicity.**

Judicial bias

While parts of the system are taking steps to address racial disparities, judicial racial bias has largely remained beyond examination.⁷² Researchers surveying 373 legal professionals found racial discrimination by judges was most frequently directed towards Asian and Black people, with young Black male defendants most cited as targets of judicial bias.⁷³ Of the respondents, 95% said that racial bias plays some role in the processes or outcomes of the justice system, 29% said it played a fundamental role.

The report found evidence of systemic racism in court proceedings which hinders progress on advancing the rights of Black and other racialised children in the justice system but the co-authors have found a reluctance to change by UKG and senior judiciary.⁷⁴

⁶⁵ Ministry of Justice (February 2024) [Criminal Justice Bill: Antisocial behaviour \(Factsheet\)](#)

⁶⁶ JUSTICE (2023) [Lowering the Standard: a review of Behavioural Control Orders in England and Wales](#)

⁶⁷ The Baroness Casey of Black Stock DBE DB (2023) [The Baroness Casey Review Final Report: An independent review into the standards of behaviour and internal culture of the Metropolitan Police Service](#)

⁶⁸ E. Quinn et al (2024) [Compound Injustice: A review of cases involving rap music evidence in England and Wales](#)

⁶⁹ E. Quinn, 'Racist inferences and flawed data: Drill lyrics as criminal evidence in group prosecutions', Youth Justice Legal Centre (2022), [Fighting Racial Injustice: Rap and Drill](#).

⁷⁰ Eithne Quinn, Erica Kane & Will Pritchard, Centre on the Dynamics of Ethnicity (2024) [Compound Injustice: A review of cases involving rap music evidence in England and Wales](#)

⁷¹ Ibid, p12. If passed, this legislation would make creative expression inadmissible unless it was proven beyond reasonable doubt to be relevant, reliable and necessary evidence. To make these determinations, judges would be required to have a regard for the culture and conventions of the music and be assisted by a suitably qualified independent expert.

⁷² The University of Manchester (2022) [Racial Bias and the Bench: A response to the Judicial Diversity and Inclusion Strategy \(2020-2025\)](#)

⁷³ Ibid

⁷⁴ Prof Eithne Quinn written evidence to CRAE 2024

- **Take steps to ensure a culture shift towards antiracist practice by judges with high-quality training for all judges and key workers in the justice system.**

Counter-terrorism policies

UKG's Prevent programme—part of the UK's counter-terrorism strategy—disproportionately affects children and continues to profile specific groups of children. A report by CRIN found Prevent is not compatible with children's rights because, for example, it puts national security and policing priorities above safeguarding children.⁷⁵

Of the referrals to Prevent between 2022-23 where age was known (6,796), 63% were for people under the age of 20. For the third year running, the number of referrals for Extreme Right-Wing concerns (19%) exceeded referrals for Islamist concerns (11%).⁷⁶ Despite this, the recent review of the Prevent Strategy foregrounded the need to tackle the threat of Islamic extremism. This conclusion is not backed up by the data and risks authorities disproportionately targeting children from racialised communities.

In recent years, UKG has rejected FOI requests to provide data on ethnicity and religion of children referred to Prevent,⁷⁷ preventing scrutiny of Prevent. The latest available data from 2014-16 shows 39% of children referred to Prevent were recorded as Muslim and 38% as Asian. By combining the ages 15-20, the Prevent referral data from 2022-23⁷⁸ obscures the distinct experiences of children (17 years and younger). This aggregation fails to capture important details regarding the extent of children's involvement within the Prevent programme, making it difficult to assess the prevalence and nature of referrals, interventions, and interactions between children and authorities. This lack of granularity impedes efforts to monitor, evaluate, and address any children's rights infringements within the programme.

- **Repeal the Prevent duty and Channel programme, replacing them with a policy which takes children's best interest as a primary consideration.**
- **Ensure the collection and regular publication of statistics on all counter-terrorism policies impacting children that are fully disaggregated by ethnicity and religion and age.**

Rising numbers of children in poverty (article 5)

There has been severe regression in relation to child poverty amongst racialised communities across the UK since 2016. Rates of child poverty have risen faster in the UK than in any other OECD country⁷⁹ and has impacted many areas of children's rights, including increased child homelessness, poor health and educational attainment. Racialised children face a greater risk of poverty than White children and the levels of child poverty among Bangladeshi, Pakistani and Black children are especially high.⁸⁰ Most asylum-seeking families are destitute due to low levels of asylum financial support.

Destitution among no-recourse to public funds families

Many families are not eligible for social security due to their immigration status and having the no recourse to public funds (NRPf)⁸¹ condition applied. UKG does not know how many families are living with NRPf, but evidence shows that many experience homelessness or live in overcrowded, unsafe, and inappropriate housing,⁸² with severe food insecurity⁸³ and negative impacts on their mental and physical health.⁸⁴ NRPf disproportionately affects children from

⁷⁵ CRIN (Children's Rights International Network) (2022) [Preventing Safeguarding: The Prevent strategy and children's rights](#)

⁷⁶ Home Office (December 2023) [Individuals referred to and supported through the Prevent Programme, April 2022 to March 2023](#)

⁷⁷ See, for example, Home Office (3 June 2021) Response to Freedom of Information Request Ref. 62693

⁷⁸ Home Office (December 2023) [Individuals referred to and supported through the Prevent Programme, April 2022 to March 2023](#)

⁷⁹ Byline Times (2024) ["A Relentless Assault": the Staggering Rise in Child Poverty in the UK](#) 14 May 2024

⁸⁰ Child Poverty Action Group, Runnymede Trust and Women's Budget Group (2023) [Inequalities amplified: The alarming rise of child poverty in the UK](#)

⁸¹ NRPf is a condition in the Immigration Rules, and Section 115 of the Immigration and Asylum Act 1999. The NRPf condition excludes migrant families from accessing most essential social security support such as universal credit, child benefit and housing benefit.

⁸² House of Commons Work and Pensions Committee (2022)

[Children in poverty: No recourse to public funds Seventh Report of Session 2021–22](#)

⁸³ Coventry University, Project 17, Sustain, University of Wolverhampton, We Belong (2021)

[Immigration Policies: Enforcing Borders, Driving Hunger and Creating Destitution](#)

⁸⁴ House of Commons Work and Pensions Committee 2022

[Children in poverty: No recourse to public funds Seventh Report of Session 2021–22](#)

racialised communities.⁸⁵ Despite a High Court decision finding the NRPF policy to have negative impacts on children,⁸⁶ the policy continues, and prevents access to benefits including Universal Credit and Child Benefits.⁸⁷ Destitute families with NRPF should get support under section 17 of the Children Act 1989 but in reality, this is difficult to access, due to cuts to Local Authority. Where they do receive support, this is often minimal and insufficient.⁸⁸

Data gaps

Poor data collection hinders ability to understand the nuances of child poverty by ethnicity.⁸⁹ The Office for Statistics Regulation expressed concerns over the lack of robust and granular data on ethnicity in household surveys, which underpin most of the income-based poverty statistics.⁹⁰ While ethnicity subgroups are included, the quality and granularity of this data is limited by small sample sizes.⁹¹

- **Establish a cross-government national strategy to deliver long-term reductions in child poverty.**
- **Increase children’s social security benefits to enable all households to have an adequate standard of living including abolishing the Two-Child Limit and Benefit Cap.**
- **Abolish the NRPF policy. At the very minimum, ensure it is not applied to families with children.**
- **Improve data collection on child poverty and ethnicity, for example, increasing the number of racialised households sampled as part of the Family Resources Survey.**

Housing

Two million children in England are living in overcrowded, unaffordable or unsuitable homes, with racialised households feeling the housing crisis more acutely.⁹² One in 23 Black households are homeless or threatened with homelessness, versus one in 83 households from all other ethnicities combined.⁹³ The number of young people aged 16-24 who were homeless or at risk of being homeless has increased by 14% in 2022/23 in comparison to 2020/2021. 61% of young people in supported accommodation are from ethnically diverse backgrounds.⁹⁴

Gypsy, Roma and Traveller children

There is a chronic shortage of GRT sites resulting in approximately 3,000 GRT families without a permitted place to stop.⁹⁵ This means they face constant evictions and live without adequate access to basic amenities,⁹⁶ with education and healthcare disrupted.⁹⁷

New legislation⁹⁸ actively targets GRT families by criminalising those without a place to stop. It gives police stronger powers to evict families without the protection of welfare assessments, instantly seize the vehicles/homes of families, issue fines and imprison over-18s, leaving families without a roof over their head and potentially forcing GRT children into care.

Children in asylum seeking families

⁸⁵ Coventry University, Project 17, Sustain, University of Wolverhampton, We Belong (2021)

[Immigration Policies: Enforcing Borders, Driving Hunger and Creating Destitution](#)

⁸⁶ AB V the Secretary of State for the Home Department (2022) [AB v SSHD \[2022\] EWHC 1524 \(Admin\)](#); Deighton Pierce Glynn [Briefing Note on High Court judgment in AB v SSHD \[2022\] EWHC 1524 \(Admin\)](#) 20 June 2022

⁸⁷ House of Commons Work and Pensions Committee (2022) [Children in poverty: No recourse to public funds Seventh Report of Session 2021–22](#)

⁸⁸ Research Centre Agroecology Water and Resilience, Project 17, Sustain, Coventry University (2019)

[“Sometimes my belly will just hurt” No Recourse to Public Funds and the Right to Food](#)

⁸⁹ Ibid

⁹⁰ OSR (2021) [Review of income-based poverty statistics, London: Office for Statistics Regulation](#)

⁹¹ Ibid

⁹² National Housing Federation (2024) [Let’s fix the housing crisis: Delivering a long-term plan for housing](#)

⁹³ Shelter (2020) [Black people are more than three times as likely to experience homelessness](#)

⁹⁴ Centrepont (2021) [Young, Black and Homeless: Observations From Centrepont’s Front Line](#)

⁹⁵ Which defines them as statutorily homeless. Section 175 of the Housing Act 1996. A person is homeless if their accommodation ‘consists of a moveable structure, vehicle or vessel designed or adapted for human habitation and there is no place where he is entitled or permitted both to place it and to reside in it.’ Ministry of Housing, Communities and Local Government (2019) [Count of Traveller Caravans, July 2019 England](#)

⁹⁶ Equality and Human Rights Commission (2022) [Pressing for progress: women’s rights and gender equality in 2018 Full report and recommendations](#)

⁹⁷ Friends, Families and Travellers Written Evidence to CRAE 2022

⁹⁸ Police Crime Sentencing and Courts Act 2022

Despite eligibility for additional support, pregnant asylum-seeking women and/or with children are housed in poor-quality accommodation (including hostels and hotels), with related ill-health, stress and poor nutrition affecting them and their children.⁹⁹

Research shows 'initial' or 'contingency' accommodation is often used for long periods of time for children in asylum seeking families despite being unfit for long-term stays. Research has documented multiple serious habitability problems including a lack of space and black mould, which can cause serious health conditions.¹⁰⁰ A lack of space makes life very difficult for children, with adverse consequences for privacy, growth, mental health, and familial relationships.

- **Ensure that all children can live in housing that has security of tenure, is safe and child-friendly, and supports their health, wellbeing, and development.**
- **Adopt a cross-departmental strategy to end youth homelessness, informed by young people's lived experience.**
- **Repeal legislation that criminalises GRT children and their families without a place to stop and urgently create more appropriate sites and stopping places for GRT children and their families.**
- **Rigorously apply the 19-day target for moving families with children to dispersal accommodation, in recognition of the reality that contingency hotel accommodation is not suitable housing for children in families beyond very short-term stays.**

Health and social care

Health inequalities

Health and wellbeing in the early years significantly impacts future health.¹⁰¹ Inequality is being exacerbated with higher rates of obesity and severe obesity in children from racialised communities.¹⁰² In 2022-23 the prevalence of obesity was highest for Black children in both reception (13.6%) and year 6 (31.6%).¹⁰³

Children from racialised communities also face increased health risks due to air pollution,¹⁰⁴ traffic hazards, and no safe play places. They are also more likely to be living in inadequate, overcrowded housing with poor indoor air quality¹⁰⁵ and cold and damp conditions, facing greater risks of respiratory and other illnesses.

High-profile deaths of Black children have caught the attention of the public in recent years, including Ella Kissi-Debrah who suffered a fatal asthma attack after being exposed to excessive pollution¹⁰⁶ and Awaab Ishak whose death was attributed to respiratory condition caused by mould.¹⁰⁷

Despite the abundance of evidence demonstrating the stark health inequalities faced by children from racialised communities, there is no strategy or targets to address child health inequality and proposals to tackle obesity by successive UK Governments have repeatedly failed.¹⁰⁸ There are growing calls for racism to be regarded as a determinant of health¹⁰⁹ to better understand and prevent inequalities.

The NHS charging regulations are a discriminatory barrier to accessing healthcare for undocumented migrants, restricting access to some NHS services for those with irregular immigration status, including some undocumented children.¹¹⁰ The health surcharge significantly increased in February 2024, from £624 to £1,035 per year of the visa.¹¹¹

⁹⁹ Maternity Action (2022) *Maternal health. Exploring the lived experiences of pregnant women seeking asylum* Refugees from Ukraine are supported outside of the existing asylum system, with British host families often shouldering the burden of support Barnardo's Written Evidence Submission to CRAE 2022

¹⁰⁰ Human Rights Watch and Just Fair (2023) ["I Felt So Stuck" Inadequate Housing and Social Support for Families Seeking Asylum in the United Kingdom](#)

¹⁰¹ Ibid

¹⁰² NHS Digital (2023) [NHS Digital Obesity Rates 2022/23](#)

¹⁰³ Ibid

¹⁰⁴ Unicef UK (2018) [A breath of toxic air: UK children in danger](#)

¹⁰⁵ University of St Andrews (2023) [Ethnic minorities most affected by long-term pollution in the UK, study suggests](#)

¹⁰⁶ The Guardian (2024) ['Mother of girl whose death was linked to air pollution sues UK government'](#) January 2024

¹⁰⁷ Sky News (2023) ['Awaab Ishak: Toddler's death from mould triggers review of landlord guidance'](#) 14 January 2023

¹⁰⁸ CEDAR, University of Cambridge 2021 ['Successive governments' approach to obesity policies has destined them to fail, say researchers'](#)

¹⁰⁹ UCL (2022) [Racism and discrimination are fundamental drivers of health disparities worldwide](#)

¹¹⁰ Murphy, L., Broad, J., Hopkinshaw, B., et al (2020) [Healthcare access for children and families on the move and migrants](#) *BMJ Paediatrics Open*

¹¹¹ House of Commons Library Research Briefing (2024) [The immigration health surcharge](#) 31 January 2024

- **Introduce a cross-departmental, fully funded, national strategy to address growing child health inequalities (including underlying causes) with specific targets to address ill-health among children who are vulnerable, in poverty or with protected characteristics.**
- **Legislate for a Clean Air Act in line with national, EU and WHO air quality standards and prevent new schools from being built in areas above legal air pollution limits.**
- **Scrap the NHS charging regulations hindering migrant children’s right to access healthcare**

Mental health (article 5)

Racial inequalities in mental health

The depth of racial inequalities in health has been shown time and again in studies and reports, including the recent Black Mental Health Manifesto.¹¹² While race and ethnicity are not risk factors for poor mental health,¹¹³ racism itself is a significant risk factor to mental health and worsens with chronic exposure and compounding disadvantages.^{114 115} Children from racialised communities are disproportionately exposed to risk factors for poor mental health through everyday experiences of racism in school, in their neighbourhoods, from the police, in traditional media and on social media.¹¹⁶

Child poverty and mental health

There is a clear correlation between poverty and mental health; the greater the duration and depth of poverty, the worse the mental health outcomes become. Children from the poorest 20% of households are four times as likely to have serious mental health difficulties by age 11 as those from the wealthiest.¹¹⁷ As noted above, there are huge racial inequalities in the rate of child poverty and children living in poor housing.

Having a decent, affordable, secure home is fundamental to mental health, with insecure and overcrowded housing associated with stress and anxiety. Noisy, crowded or uncomfortable housing can also affect sleep quality, and poor sleep can lead to mental health problems or make existing problems harder to cope with.¹¹⁸

Barriers to mental health services

An NHS Race and Health Observatory review found that children from racialised groups experienced the same barriers as adults from minority groups in accessing services. These included lack of trust in the system, language barriers, and discriminatory treatment from services.¹¹⁹ GRT children continue to experience unequal access to healthcare, facing longstanding barriers to preventative and early intervention care including immunisations and screening.¹²⁰ Barriers include wrongful registration refusal for those with no fixed address or identity document¹²¹, communication barriers¹²² and digital exclusion.¹²³

Black children have been found to be more likely to access mental health support through more formal routes as opposed to early and voluntary care. For example, Black children were 10 times more likely to be referred to Child and Adolescent Mental Health Services (CAMHS) via social services than their GP service, in comparison to White British children.¹²⁴ It is crucial that accessible and appropriate care is provided to children from racialised communities. There is

¹¹² Black Mental Health and Wellbeing Alliance (2024) [Black Mental Health Manifesto](#)

¹¹³ Synergi Collaborative Centre (2017) [Ethnic inequalities in UK mental health systems](#)

¹¹⁴ Wallace, S., Nazroo, J. and Bécares, L., 2016. [Cumulative effect of racial discrimination on the mental health of ethnic minorities in the United Kingdom](#) *American journal of public health*, 106(7)

¹¹⁵ The cumulative effect of daily experiences of racism and discrimination have been linked to a range of poor mental health outcomes, including anxiety and depression.

¹¹⁶ Abdinasir, K. and Carty, S. (2021) [Young Black men’s mental health during Covid-19](#)

¹¹⁷ Centre for Mental Health (2015) [Children of the new century: mental health findings from the Millenium Cohort Study](#)

¹¹⁸ Walker, M. (2017) *Why we sleep* Allen Lane

¹¹⁹ Kapadia, D., Zhang, J., Salway, S., Nazroo, J., Booth, A., Villarroel-Williams, N., Bécares, L. and Esmail, A. (2022) [Ethnic Inequalities in Healthcare: A Rapid Evidence Review](#)

¹²⁰ Public Health England (2018) [Making measles history together: A resource for local government](#)

¹²¹ Sweeney S., Worrall S. (2019) *No room at the inn: How easy is it for nomadic Gypsies and Travellers to access primary care* Friends, Families and Travellers

¹²² House of Commons Committee report (2019) *Tackling inequalities faced by Gypsy, Roma and Traveller communities*

¹²³ Friends Families and Travellers Scadding J., and Sweeney S. (2018) *Digital Exclusion in Gypsy and Traveller communities in the United Kingdom*

¹²⁴ Kapadia, D., Zhang, J., Salway, S., Nazroo, J., Booth, A., Villarroel-Williams, N., Bécares, L. and Esmail, A. (2022) [Ethnic Inequalities in Healthcare: A Rapid Evidence Review](#)

evidence that early support hubs ¹²⁵ better serve Black and racially minoritised children than CAHMS or school-based provision whilst also delivering comparable clinical outcomes.¹²⁶

Rates of detention

In its 2016 COs, the UN Committee recommended that UKG adopt measures to address the overrepresentation of Black people being treated in psychiatric institutions and the disproportionate use of restraint, seclusion, and medication. However, in 2021, statistics showed that Black and mixed-race children accounted for 36% of young people detained in acute mental health services (despite making up 11% of the population) but just 5% of those accessing community based CAMHS.¹²⁷

Reforming the Mental Health Act

Proposed reforms of the Mental Health Act 1983 had offered an opportunity to address racial inequalities in mental health care and to action the recommendations of the UN committee. However, a new Mental Health Bill to reform the Act was not brought forward in the last King's Speech. It is crucial that a new Bill is brought forward as soon as possible.

Lack of strategy to tackle disparities in mental health

There is currently no coherent strategy to combat racial disparities in children's mental health. The Department of Health and Social Care launched a call for evidence for a new 10-year cross government mental health and wellbeing plan that aimed to put mental health on a level footing with physical health and address health disparities. This was widely welcomed by key stakeholders in this area. However the plan was scrapped in January 2023 and replaced by a broader Major Conditions Strategy, which lacked detailed and dedicated focus on addressing mental health inequities, especially for children.¹²⁸

Need for Race Equality Frameworks to be embedded

NHS England have taken steps to improve inequality in care and treatment through the adoption of the Patient and Carer Race Equality Framework (PCREF); the first framework to support trusts and providers to become actively anti-racist.¹²⁹ While we welcome the development of PCREF, it is important for the Framework to be embedded within children's mental health services and that all NHS Trusts and mental health service providers produce a publicly available action plan by March 2025.¹³⁰

Inadequate data collection

The Race Disparity Unit brought out new guidance on data collection standards as part of their response to the Inclusive Britain Report.¹³¹ The report highlights the need for better, more informed, data collection although the recommendations of the report have yet to bear fruits. Poor quality recording of ethnicity data leads to difficulties in detecting inequalities in access to services and ensuring that services are meeting the needs of individual people.¹³² The Care Quality Commission's 2022 review found that recording of ethnicity varied vastly between systems with nearly 1/6 of patients having ethnicity recorded as not known or not stated.¹³³

- **Develop a strategy that tackles the underlying causes of mental ill health among racialised children, such as child poverty and poor housing.**
- **Put an end to 'hostile environment' policies which harm or exacerbate mental health problems amongst child refugees, asylum-seekers and migrants.**
- **Prioritise the reform of the Mental Health Act 1983 to address racial inequalities.**

¹²⁵ Early support hubs provide open access, flexible, early support for young people under 25 in their communities.

¹²⁶ Duncan, C., et al. (2018) [Counselling for young people and young adults in the voluntary and community sector: An overview of the demographic profile of clients and outcomes](#) pg. 36–53

¹²⁷ Centre for Mental Health (2022) [Shifting the Dial: Evaluating a community programme to promote young Black men's mental health](#)

¹²⁸ Department of Health and Social Care (2022) Mental health and wellbeing plan: discussion paper

¹²⁹ The Framework was developed as part of NHS England's Advancing Mental Health Equalities Strategy (NHS England 2020) and provides a systematic and transparent participatory anti-racism framework to drive service improvements for racialised communities.

¹³⁰ Black Mental Health and Wellbeing Alliance (2024) [The Black mental health manifesto: a Manifesto for change and a radical future](#)

¹³¹ Race Disparity Unit (2023) [Guidance Standards for ethnicity data.](#)

¹³² Care Quality Commission (2022) [CQC Insight 15: Ethnicity data recording in mental health](#)

¹³³ Ibid

- **NHS England and professional membership bodies should work together to ensure the mental health workforce reflects the communities they serve, and that values of anti-racism, diversity and inclusion are actively promoted. Cultural competency and anti-racism training should form part of mandatory training for all practitioners.**
- **All NHS Trusts, VCSE and mental health service providers should embed NHS England’s Patient and Carer Race Equality Framework (PCREF) by March 2025.**
- **NHS Digital and Office for National Statistics should work together to improve data collected on race, ethnicity, and mental health. This includes the routine collection of data relating to referrals, access and outcomes disaggregated by race and ethnicity and age.**

Care experienced racialised children (article 5)

The final report of the Independent Review of Children’s Social Care (IRCSC) concluded that ‘alongside socio-economic inequality, racial inequalities are amongst the most pronounced disparities in children’s social care’.¹³⁴ Black and mixed-race children continue to be over-represented in care—6.9% of ‘looked after’ children are Black and 10.4% ‘looked after children’ are of mixed ethnicity.¹³⁵

A briefing by the NSPCC concluded that ‘little is known about why certain minority ethnic groups are overrepresented whilst others are underrepresented within the care system’.¹³⁶ Several reasons have been put forward as to why children from certain ethnic groups are overrepresented including a lack of access to appropriate support services, an unwillingness in some cultures to report concerns about a child’s safety, or greater uncertainty among child welfare professionals about how to respond appropriately to the needs of families from certain ethnic groups.¹³⁷

The IRCSC also highlighted evidence suggesting that the system may be failing to address the needs of different groups of children before they escalate. Department for Education research found that, of those children who entered care, 65% and 62% of White and Mixed children, respectively, had previously been on a child protection plan compared to just 39% and 36% for Black and Asian children, respectively.¹³⁸

The Review concluded that ‘whilst this raises concerns of the efficacy of plans in preventing escalation for those who do receive intervention, this also suggests that certain groups may be less likely to receive any form of help and support from the local authority before escalating in the system compared to others.’¹³⁹ A thematic review also highlighted that Black and Mixed heritage boys are less likely than their peers to have been referred to early help services when they were younger.¹⁴⁰

Although all children in care experience challenges, the experience of being in care and Black comes with additional challenges. The need to promote the child’s identity and culture is often ignored and overlooked by the care system and placements are often not able to promote a Black child’s identity and culture or ensure that the child’s skin and hair is properly looked after.¹⁴¹

A shortage of Black foster carers has also been highlighted as a key issue that needs addressing: Of the 71,150 approved Foster Carers, only 5,385 are Black/Black British; 930 are Mixed Race and 620 are from other Ethnic Groups.¹⁴²

Racialised children can also face “double discrimination” in the care system, facing racism, exclusion and isolation without the required support.¹⁴³ The research, which carried out in-depth interviews with 22 young people, found that 20 of them had experienced racism or differential treatment based on their race and ethnicity: in care settings,

¹³⁴ The Independent Review of Children’s Social Care (2022) [The Independent Review of Children’s Social Care: Final report](#)

¹³⁵ NSPCC (2024) [Statistics briefing: Children in care](#)

¹³⁶ Ibid

¹³⁷ Ibid

¹³⁸ Department for Education (2022) [Ethnicity and Children’s Social Care](#)

¹³⁹ The Independent Review of Children’s Social Care (2022) [The Independent Review of Children’s Social Care: Final report](#)

¹⁴⁰ HM Inspectorate of Probation (2021) [The experiences of black and mixed heritage boys in the youth justice system A thematic inspection by HM Inspectorate of Probation](#)

¹⁴¹ The Fostering Network Blog: [‘Enabling Black children in care to own their identity and thrive’](#)

¹⁴² The Black Care Experience (2021) [The Black Care Experience 2021 Report](#)

¹⁴³ Barnardo’s (2023) [‘Double discrimination – Barnardo’s calls for change as report highlights young Black people who have been in care experience racism, exclusion and isolation’](#)

throughout their education and/or in the criminal justice system. They found that nearly 1 in 10 Black children in care receive a custodial sentence by the time they turn 18. The young people reported that care staff often involved the police unnecessarily as a disciplinary measure and had been moved during their time in care to live in less diverse communities, exacerbating feelings of isolation and increasing the likelihood of facing racism.

- **Improve the experience of Black children in foster care including developing and funding a Black Foster Care Network, with the aim of increasing the number of high-quality carers who understand the needs of Black children in the care system.**
- **Improve access to mental health support for all racialised children in and leaving care with a specific emphasis on how this support can be delivered in culturally sensitive way.**
- **Introduce a statutory duty on local authorities to work with partners to prevent the unnecessary criminalisation of children in care and care leavers, including a requirement to develop local protocols to help achieve this.**

Education (article 5)

Rates of exclusions

GRT and Black Caribbean children are excluded at between almost double to more than three times the national rate. The national rate for permanent exclusions for each group disproportionately affected in 2021-2022 was: Gypsy Roma (0.31) Irish Travellers (0.31) Mixed White and Black Caribbean (0.23) and Black Caribbean (0.16).¹⁴⁴ This trend also persists in fixed-term exclusions.¹⁴⁵ Previous research has also indicated that Black Caribbean boys who are eligible for free school meals and have special educational needs are 168 times more likely to be excluded than White British girls with no protected characteristics or existing vulnerabilities.¹⁴⁶ Disproportionate exclusions of Black children have been attributed to adultification.¹⁴⁷

Data obtained by Agenda showed that Black and GRT girls are experiencing some of the highest rates of exclusion in schools across England.¹⁴⁸ Between 2019-20 Black Caribbean girls were permanently excluded from school at a rate double that of White British girls, and girls from GRT communities faced rates of over four times higher.¹⁴⁹ Concerningly, Agenda found that rates of permanent exclusions of girls increased by 66% in the five years leading up to the COVID-19 pandemic when schools were closed to the majority of children.¹⁵⁰

School exclusions can have wide-ranging and long-lasting impacts on children's futures, not only disrupting their educational attainment and affecting their mental health, but also making them more vulnerable to abuse and exploitation, including CCE.¹⁵¹

- **Ensure exclusion is used as a last resort in secondary schools and ended in primary schools;¹⁵² support schools with the necessary resources to achieve this; Disproportionality in rates of exclusion must be monitored, including by Ofsted, and the impact of adverse childhood experiences and racism, and the personal circumstances of these groups captured in their inspection framework.**
- **Reintroduce the paragraph in the statutory exclusion guidance which details the groups of pupils with disproportionately high rates of exclusion.**

Behavioural policies

¹⁴⁴ Ethnicity Facts and Figures Service – Gov.uk (2024) [Permanent exclusions \(2021-2022\)](#)

¹⁴⁵ Department for Education (2022) [Suspensions and permanent exclusions in England \(2021-2022\)](#) Temporary exclusions or fixed period/term exclusions are now referred to as 'suspensions'.

¹⁴⁶ Crenna-Jennings, W. (2017) [A black Caribbean FSM boy with SEND is 168 times more likely to be permanently excluded than a white British girl without SEND. Why?](#)

¹⁴⁷ No More Exclusions (2022) [Behaviour and mental health in schools inquiry](#)

¹⁴⁸ Agenda Alliance (2021) [Girls at risk of exclusion](#)

¹⁴⁹ Ibid

¹⁵⁰ Ibid

¹⁵¹ The Children's Society (2021) [Youth Voice on School Exclusions](#)

¹⁵² Southwark Council has introduced an inclusion charter which strives for 100% inclusion of children in education and aims to prevent the use of exclusion in the borough. Southwark Council (2022) [Southwark launches charter to help every child stay in education](#)

Research by The Children’s Society found children often feel targeted and that their identities and cultures are repressed by school uniform policies. Specifically, rules concerning hair and hairstyles are often seen as racist and White-centred, ‘with students with afro hair being disproportionately affected.’¹⁵³ Children with afro hair feel their identities are being repressed and that they’ll face sanctions, including school exclusion, for merely expressing their culture.

An inquiry by the Children and Young People’s Mental Health Coalition, which looked at the way that behaviour is managed at schools and the impact this has on mental health, found that children from racialised communities, including Black and GRT communities, were disproportionately impacted by school behavioural policies, and often these policies failed to take into consideration individual needs and challenges. This differential treatment of pupils from racialised communities often stemmed from persistent stereotyping of these groups. The inquiry called for a move away from ‘one size fits’ all behaviour policies, to more flexible and tailored approaches to support that recognise individual needs and diversity. Furthermore, research found teachers ‘held grudges’ with Black pupils longer than they would with non-Black peers.¹⁵⁴

- **Ensure schools have adequate support to address and update behavioural and disciplinary policies in line with children’s rights anti-racist research.**
- **Provide training to strengthen the cultural competency of teachers and schools to prevent bias leading to stereotyping and mistreatment which can manifest in harmful behavioural management techniques.**

Increasing attainment gap

There is a widening attainment gap in schools. In 2022, by the end of primary school Gypsy, Roma and Irish Traveller children lagged behind White British pupils by 19.2 and 18.2 months, respectively.¹⁵⁵ The attainment of excluded children also remains low.¹⁵⁶

Disabled racialised children

Research by the Alliance for Inclusive Education found a lack of support for racialised disabled children and their families in terms of advocacy, forums, and peer support to share information and provide clarity on entitlement, help to empower them and protect the child’s right to mainstream education. Racialised disabled children have told researchers they would like more choice and control over their support; be better able to join in and participate in the range of school activities and opportunities; to end the separation they face from other pupils; to be afforded recognition of their intersectional experiences; and to feel a sense of belonging.¹⁵⁷

Parents reported concerns included disproportionate use of disciplinary procedures and practices of surveillance towards disabled and Black children, resulting in negative consequences, school exclusion or removal to alternative settings.¹⁵⁸

- **Improve understanding and recognition of intersectional identities**
- **Encourage work in schools to address the effects and trauma caused by grouping and segregation of pupils.**
- **Promote independence, choice and control in Education Health and Care Plans (EHCPs).**
- **Highlight school intake discriminatory practices affecting racialised Disabled pupils, showcase practical and applied solutions that demonstrate how inclusive education can and does work.**

Asylum seeking children

Children seeking asylum often arrive partway through the school year meaning that some schools may not allow them to enrol immediately—and in some cases require them to wait until the following year before they can attend classes.

¹⁵³ The Children’s Society (2024) [Behaviour Policy Checklist](#)

¹⁵⁴ Rainer, C., Le, H., and Abdinasir, K., (2023) [Behaviour and mental health in schools](#), Children and Young People’s Mental Health Coalition

¹⁵⁵ Education Policy Institute (2023) [EPI Annual Report 2023](#)

¹⁵⁶ IPPR (2017) [Making the Difference: Breaking the link between school exclusion and social exclusion](#)

¹⁵⁷ The Alliance for Inclusive Education (2024) [Lived Experiences of BGM Disabled Pupils in Mainstream Education](#)

¹⁵⁸ Ibid

When the Home Office transfers families from one hotel to another, children also frequently experience interruptions in their education.¹⁵⁹

Research by Unicef UK concluded: ‘for many children and their families, the barriers to accessing education cited were not the admissions policies per se, but rather the systems surrounding them that must be navigated, at times without support, in order to secure a school place.’¹⁶⁰

Substandard accommodation can also have a direct impact on children’s ability to learn particularly because the Home Office does not require initial accommodation to provide desks or tables in rooms.¹⁶¹

- **Ensure asylum seeking families are supported to register their children with local schools to prevent delays to education.**
- **Ensure all accommodation used to house children is suitable for learning including access to WI-FI and a specific physical space with appropriate furniture.**

Lack of inclusive curriculum

The school curriculum is largely euro-centric¹⁶² with little progress on decolonising it.¹⁶³ However, a UKG report acknowledged the deficit in the curriculum for racialised children and has committed to change this for history.¹⁶⁴ A lack of representation in the school workforce and the curriculum of disabled racialised children also drives negative attitudes and ignorance. A report by UKG’s Independent Adviser on Antisemitism¹⁶⁵ also highlighted the need for better teaching about contemporary forms of antisemitism alongside education on the Holocaust.

- **Ensure library resources, lesson content, and educational materials are decolonised in order to foster an environment of inclusivity and representation in all schools; diversify the curriculum to enable pupils to learn about intersections of racial and disability justice and contemporary forms of antisemitism.**

Police in schools

Police presence in schools is increasing¹⁶⁶ creating unsafe school environments, particularly for marginalised students,¹⁶⁷ and increasing criminalisation of children. Police in schools are targeted at areas of ‘high deprivation’ - areas more likely to be inhabited by Black and racialised communities.¹⁶⁸

- **Police must urgently be removed from schools.**

Access to justice (article 6)

The UN Committee, in its 2016 COs, called upon the UK to ensure individuals belonging to ethnic minorities have fair and effective access to legal aid to seek justice. However, the legal aid system in England is in crisis.¹⁶⁹ The Legal Aid, Sentencing and Punishment of Offenders Act 2012 (LASPO) devastated the legal aid system, removing vast areas of aid from those most in need¹⁷⁰ including cases involving child custody, welfare, housing and immigration. This significantly impacts racialised children who make up the majority of legal aid claimants.^{171 172} In immigration legal aid in particular

¹⁵⁹ Ibid

¹⁶⁰ UNICEF (2018) [Education for refugee and asylum-seeking children](#)

¹⁶¹ Home Office (2018) [Asylum Accommodation and Support: Statement of Requirements](#)

¹⁶² Weale, S. (25 Nov 2020) [‘National curriculum ‘systematically omits’ Black British history’](#) The Guardian

¹⁶³ A decolonised and anti-racist curriculum provides a complete education in which teaching fully examines imperialism and racism, as well as histories and cultures from around the world.

¹⁶⁴ Department for Levelling Up, Housing & Communities (2022) [Inclusive Britain: government response to the Commission on Race and Ethnic Disparities](#)

¹⁶⁵ The Office of HM Government’s Independent Advisor on Antisemitism (2023) [Anti-Jewish Hatred Tackling Antisemitism in the UK 2023 – Renewing the Commitment](#)

¹⁶⁶ [‘UK police forces deploy 683 officers in schools with some poorer areas targeted’](#) The Guardian, March 2021

¹⁶⁷ Joseph-Salisbury, Dr. R. (2020) [Race and Racism in English Secondary Schools](#)

¹⁶⁸ Ibid

¹⁶⁹ Coram evidence submitted to CRAE 2022.

¹⁷⁰ The Law Society (2023) [A decade of cuts: Legal aid in tatters](#)

¹⁷¹ Bolt, Burden and Kemp (2020) [Inequality within Britain’s legal aid funding system](#)

¹⁷² See [Legal Aid statistics England and Wales bulletin Jan to Mar 2023](#), specifically table 11.4 ‘Legal help client diversity volumes by category of law, 2022-23’.

there is 'no access to justice'.¹⁷³ The Exceptional Case Funding (ECF) scheme¹⁷⁴ is also woefully inadequate. Since 2013, at least 6,000 children each year (potentially as many as 15,000) have been denied free legal advice and representation,¹⁷⁵ including those unlawfully excluded from schools, which disproportionately impacts certain racialised groups. Legal aid is also hard to access in SEND appeals.¹⁷⁶

Standards of legal representation in the youth court remain variable, meaning some of the most vulnerable children are not being effectively represented.¹⁷⁷ This is particularly concerning given the racial disparities across the youth justice system. The lack of racial diversity among legal professionals is also troubling: in 2021, 80% of barristers doing criminal work were white.¹⁷⁸

- **Urgently restore legal aid funding to ensure racialised children can access justice.**
- **Introduce mandatory training for lawyers representing child defendants. As a minimum, extend the Bar Standards' Board youth proceedings competency requirement to all those representing children in the youth court and Crown Court.**

Asylum and immigration (article 5)

The UK's State Party report failed to include information on the rights of migrant and asylum-seeking children, who are overwhelmingly from racialised communities and face significant discrimination and violations of their rights.

Increasing detention of children

There has been a significant regression since the Committee's recommendations in 2016 to establish a statutory time limit on immigration detention and take further steps to end the immigration detention of children.¹⁷⁹ In 2021, 515 children were detained, an almost 500% rise from the 87 detained in 2020, reversing the trend of declining numbers.¹⁸⁰ Children as young as 14 placed in immigration detention or alone in adult accommodation (due to disputes about their age) are at significant risk.¹⁸¹ UKG data does not make clear how many children are treated as adults nor how many are subsequently placed in immigration detention. However, data collected by NGOs from 55 Local Authorities showed that in 2021, over 450 young people were referred to children's services having been sent to adult accommodation, including detention centres. Three quarters were found to be children.¹⁸²

The detention provisions of the Illegal Migration Act 2023 have yet to all come into force, but they take away previous strict time limits on immigration detention of children that were legislated in 2014. The Act provides for the detention of unaccompanied children, though UKG has not yet brought in the regulations needed for this to happen.

- **Reverse the detention provisions of the Illegal Migration Act.**

Unaccompanied and missing children

Increasing numbers of unaccompanied asylum-seeking children are being unlawfully placed in unsuitable accommodation, including hotels.¹⁸³ 3,256 children were placed in hotels between 2021-2022 outside of the child protection system, denying them rights associated with the care system.¹⁸⁴ Children are being accommodated in some

¹⁷³ [No access to justice: How legal advice deserts fail refugees, migrants and our communities- Paul Hamlyn Foundation \(phf.org.uk\)](#)

¹⁷⁴ Exceptional Case Funding Scheme: The system providing legal aid funding to people whose cases are otherwise outside any area of qualifying law. It is only available in cases where failing to provide funding would cause an individual's human rights to be breached.

¹⁷⁵ Coram Children's Legal Centre (2018) [Rights without remedies: Legal aid and access to justice for children](#)

¹⁷⁶ A person can appeal against a local authority's decisions in relation to education, health and care plan (EHCPs). This includes the refusal of a request to assess a child to establish whether they need an EHCP; refusal to prepare an EHCP following assessment; and challenging the contents of an EHCP plan including whether the child will attend a mainstream or special school. The type of legal assistance available for SEND appeals is "legal help": a restricted type of support that allows families to take early advice and prepare a case, but not to be represented in hearings.

¹⁷⁷ Youth Justice Legal Centre and Institute for Crime and Justice Policy Research (ICPR) at Birkbeck [It's a lottery: Legal representation of children in the criminal justice system](#)

¹⁷⁸ Bellamy, C (2021) [Independent Review of Criminal Legal Aid](#)

¹⁷⁹ Coram Children's Legal Centre [Child detention proposals debated in House of Lords today could see over 8000 children detained per year](#)

¹⁸⁰ Refugee Council (2022) [Detention of Children](#)

¹⁸¹ Refugee and Migrant Children's Consortium (2022) [Briefing for debate on age disputes and removals to Rwanda](#)

¹⁸² Refugee and Migrant Children's Consortium (2022) [Briefing for debate on age disputes and removals to Rwanda](#)

¹⁸³ Refugee Council (2022) [Lives on hold: Experiences of people living in hotel asylum accommodation. A follow-up report](#)

¹⁸⁴ UK Parliament (2022) [House of Commons written answer HC 61091](#)

cases for as long as ten months, despite UKG policy stating a maximum of six weeks. Children as young as 11 have been put at great risk of exploitation and trafficking.¹⁸⁵

- **End the use of hotel accommodation for unaccompanied children and ensure all unaccompanied children are in the care of local authorities in settings that safeguard their welfare and best interests.**

Restrictions on family reunification

The rights of children to family reunification have regressed. Unaccompanied asylum-seeking children continue to be ineligible for the refugee family reunion policy that applies to adults. The Nationality and Borders Act 2022 further restricts family reunion, including for children, thereby removing one of the main legal safe routes for separated children and leaving them more likely to take dangerous journeys.¹⁸⁶ Children separated from their families are more vulnerable to exploitation and abuse, anxiety and mental health problems.¹⁸⁷

- **Scrap asylum reforms in the Nationality and Borders Act. If they are retained, all children should have their asylum claims decided within the UK and afforded full rights in the UK as refugees if their claim is accepted.**
- **Create new, adequate, safe and legal routes for children seeking protection to enter the UK and ensure child refugees in the UK have the right to sponsor their close family to join them.**

Difficulties in regularising status and statelessness

The 'Hostile Environment' for undocumented migrants, implemented under the Immigration Acts 2014 and 2016, substantively remains. There could be as many as 215,000 undocumented children¹⁸⁸ who remain subject to policies that limit their families' access to work and the welfare safety net (see above). Hurdles to securing status remain, including legal complexities, lack of legal aid for immigration and high application fees. UKG has taken steps to simplify the process for children who were born or grew up in the UK, reducing the ten-year route to a five-year route for some.¹⁸⁹ However, difficulties remain for children in families where parents or carers remain on the costly ten-year route to settlement.

The UK Supreme Court acknowledged that the high child citizenship fee is unaffordable for many children¹⁹⁰ yet concerns persist regarding the Home Office practice of setting fees for the registration of British citizenship rights above administrative costs. More positively, in June 2022, UKG introduced the possibility of applying for a fee waiver.¹⁹¹ However, there are serious concerns that more children could be deprived of British citizenship due to changes in Nationality and Borders Act 2022,¹⁹² numbers have gone up in the past decade, but no data is available for children.¹⁹³

- **Ensure a simpler, shorter, and affordable route to citizenship for all undocumented children and their families.**
- **Ensure all children and young people in the care of the state, including Children Looked After, care-leavers and children in prison, are supported to receive secure immigration status or British citizenship.**

¹⁸⁵ The National Scot, December 2023 '[More than 130 children remain missing from Home Office accommodation](#)'

¹⁸⁶ Refugee Council (2022) '[Government plans will 'all but destroy' main safe route out of conflict for women and children at risk, warns Refugee Council](#)'

¹⁸⁷ Amnesty International UK, Refugee Council and Save the Children (2020) '[Without my family. The impact of family separation on child refugees in the UK](#)'

¹⁸⁸ Greater London Authority (2020) '[London's children and young people who are not British citizens: A profile](#)'

¹⁸⁹ We Belong (2022) '[An update on the Home Office Rules re: 5 year route to settlement](#)'

¹⁹⁰ [R \(on the application of the Project for the Registration of Children as British Citizens\) \(Appellant\) v Secretary of State for the Home Department \(Respondent\) \(Expedited\) 2021/0063](#)

¹⁹¹ The fee waiver applies to: children applying to register as British citizens if they or their parents/guardians can show that they cannot afford the fee; children who are looked after by a Local Authority; children outside the UK and in a similar situation to being looked after by a Local Authority; and children supported under Section 17 of The Children Act 1989. Project for the Registration of Children as British citizens (30 May 2022) '[Frequently Asked Questions \(FAQs\) Home Office fee for children to register as British citizens](#)'

¹⁹² HM Government (2022) The UK's Response to the UN Committee's List of Issues on the Rights of the Child, Paragraph 129.

¹⁹³ McKinney, C.J., Free Movement (2022) '[How many people have been stripped of their British citizenship?](#)'

Annex:

Supporting Organisations

This report has been co-ordinated and drafted by the Children's Rights Alliance for England and is supported by the following organisations. Please note, not all of the organisations work across all the areas addressed in this report or support all of the recommendations.

Action for Race Equality	National Association of Child Contact Centres
Agenda Alliance	Network for Police Monitoring (Netpol)
Alliance for Inclusive Education	No More Exclusions
Alliance for Police Accountability (APA)	PAFRAS (Positive Action for Refugees and Asylum Seekers)
Alliance for Youth Justice	Prevent Watch
Black Equity Organisation	Project 507
Campaign for State Education	Redthread
Centre for Justice Innovation	Runnymede Trust
Centre for Mental Health	Safer London
Child Poverty Action Group	Save the Children UK
Children's Alliance	SHiFT
Community Policy Forum	Social Benefits Consortium cic
Coram Children's Legal Centre	Social Workers Without Borders
ECPAT UK	StopWatch
Friends, Families and Travellers	The Children's Society
Haringey Play Association	The Howard League for Penal Reform
Include Me TOO	Transform Justice
Inquest	Unlock
Just fair	Youth Access
Just for Kids Law	Youth Justice Legal Centre
JUSTICE	Zahid Mubarek Trust
Liberty	